



04-14-05

JC10 Rec'd

PTO

13

CASE 4-32437A

APR 2005

PT#

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 540155199 US
Express Mail Label Number

April 13, 2005
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
BUXTON ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/03643

FILED: 8 APRIL 2003

U. S. APPLICATION NO: 10/510,530

35 USC §371 DATE: Not Yet Known

FOR: COMPOSITIONS COMPRISING MMP7 MODULATORS FOR THE
TREATMENT OF CHRONIC PAIN

MAIL STOP: Missing Parts

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF MISSING REQUIREMENTS

Sir:

The Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), which was mailed on March 16, 2005, a copy of which is enclosed), has a shortened statutory time set to expire on May 16, 2005.

In response, Applicants now submit an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 19-0134 in the name of Novartis.

Applicants believe the additional claims fee should be in the amount of \$200, as opposed to the \$400 listed on the Notice, to reflect an extra independent claim that was not originally accounted for. This is solely an accounting adjustment, and no new claims have been added; there remain 24 total claims, of which 9 are independent. Therefore, authorization is given to charge Deposit Account No. 19-0134 for the additional amount.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis. #4

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(617) 871-3343
Date: April 13, 2005


Paul J. Paglierani
Attorney for Applicants
Reg. No. 52,498

04/20/2005 LLANDGRA 00000019 190134 10510530

01 FC:1617	130.00 DA
02 FC:1614	200.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/510,530

FIRST NAMED APPLICANT

Francis P Buxton

ATTY. DOCKET NO.

4-32437A

INTERNATIONAL APPLICATION NO.

PCT/EP03/03643

LA. FILING DATE

04/08/2003

PRIORITY DATE

04/09/2002

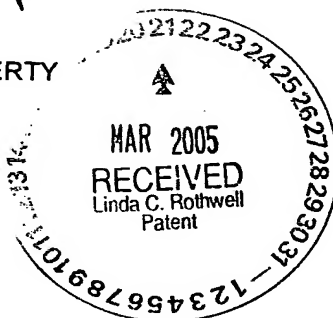
001095

NOVARTIS

CORPORATE INTELLECTUAL PROPERTY

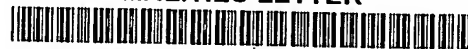
ONE HEALTH PLAZA 104/3

EAST HANOVER, NJ 07936-1080



CONFIRMATION NO. 8876

371 FORMALITIES LETTER



OC000000015464219

Date Mailed: 03/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/07/2004
- Copy of the International Search Report filed on 10/07/2004
- Preliminary Amendments filed on 10/07/2004
- U.S. Basic National Fees filed on 10/07/2004
- Priority Documents filed on 10/07/2004
- Power of Attorney filed on 10/07/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- **Additional claim fees of \$400 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.**
- **Oath or declaration of the inventors** in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- **\$130 Surcharge** for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$530 for a Large Entity:

DOCKETED FOR: May 16, 2005

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 400
 - \$400 for 7 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN **TWO (2) MONTHS** FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,530	PCT/EP03/03643	4-32437A

FORM PCT/DO/EO/905 (371 Formalities Notice)